

**NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE - MODIFIED**

- (a) Definition. "Small business concern" means a concern, including its affiliates, which is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and meets the size standards set forth in the Small Business Administration Rules and Regulations, 13 CFR Part 121 - Small Business Size Standards, and identified by the NAICS Code(s) in paragraph (b) below.
- (b) Size Standard(s) for the Solicited Work. The North American Industry Classification System (NAICS) Code(s) applicable to this Contract is (are): \_\_\_\_\_.
- (c) General.
- (1) Offers are solicited only from small business concerns; offers received from others shall be considered non-responsible and will be rejected.
  - (2) Any award resulting from this solicitation will be made to a small business concern.
- (d) Agreement. The offeror agrees to furnish, in performing the Contract, only end items manufactured and/or produced by business concerns inside the United States, its territories and possessions, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia. However, this requirement does not apply in connection with construction or service contracts.
- (e) Small Business Status Certification. The offeror must indicate in the Certification, on the reverse side of this form, its small business status and whether it agrees to provide domestic end items. The Certification must then be signed by the offeror or duly authorized representative. **Failure to complete and return this form with the offer may render the offer nonresponsive.**
- (f) Notice: Consequences of Misrepresenting Small Business Status. Any contract to be awarded pursuant to this solicitation will be a subcontract under a prime contract between the California Institute of Technology/JPL and NASA, and awards to small businesses are counted for small business goal purposes pursuant to the Small and Small Disadvantaged Business Plan incorporated into the prime contract. Consequently, any person who misrepresents a firm's small business status to obtain a contract from JPL under a set-aside procurement would be subject to sanctions under 15 U.S.C. 645(d), which provides that any person making such a misrepresentation shall:
- (1) Be punished by imposition of fine, imprisonment, or both;
  - (2) Be subject to administrative remedies, including suspension and debarment; and
  - (3) Be ineligible for participation in programs conducted under the authority of the Small Business Act.

## **CERTIFICATION**

The offeror represents and certifies as part of its offer that it ☐ **is** ☐ **is not** a small business concern as described in paragraph (a) above. (By indicating that it is a small business concern, the offeror certifies that it meets the size standards for the North American Industry Classification System (NAICS) Code number(s) identified in paragraph (b) above for the product/work involved. If this solicitation calls for more than one item/type of work and if different NAICS Codes are identified above for different items/types of work, the offeror certifies that it meets the identified NAICS Code applicable to the product/work accounting for the greatest percentage of the proposed contract price or, if offers on part of the product/work are permitted, that it meets those of the NAICS Code standard(s) identified above applicable to the products/work it offers.)

The offeror ☐ **agrees** ☐ **does not agree** to furnish, in performing the contract, only end items which meet the requirements of paragraph (d) above.

The offeror represents and certifies, for information only, that ☐ **all** ☐ **not all** end items to be furnished will be manufactured or produced by small business concerns. (This requirement does not apply in connection with construction or service contracts.)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title